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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/589,803	08/17/2006	Tsunenori Arai	081356-0266	2407
22428 7590 03/07/2011 FOLEY AND LARDNER LLP SUITE 500 3000 K STREET NW WASHINGTON, DC 20007				
EXAMINER				
LIPTIZ, JEFFREY BRIAN				
ART UNIT		PAPER NUMBER		
3769				
MAIL DATE		DELIVERY MODE		
03/07/2011		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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Foley and Lardner LLP
Suite 500
3000 K Street NW
Washington, DC 20007

March 4, 2011

Art Unit 3769

In re Application of :
ARAI et al. :
Serial No.10/589,803 : DECISION ON PETITION
Filed: August 17, 2006 :
For: SHEATH REMOVAL HOLE CLOSING :
DEVICE USING LASER WELDING SCHEME :
:
:

This is a decision to petitioner's request to permit color photographs filed August 17, 2006.

Under 37 CFR 1.84(a)(2), the petitioner must file (i) the fee set forth in 37 CFR 1.17(h), (ii) three (3) sets of color photographs and (iii) an amendment to the specification, if necessary. Petitioner has satisfied the requirements of (i) through (iii) above.

The use of color photographs is provided in MPEP 608.02 with reference to color drawings as part of 37 CFR 1.84(a)(2), the rule states "on rare occasions, color drawings may be necessary as the **only** practical medium by which to disclose the subject matter to be sought to be patented in a utility ...application."

The Office believes that color photographs are not the only medium by which the subject matter to be patented can be disclosed. The photographs do not relate to the method steps, only the results.

The petition is denied.

/Henry M. Johnson, III/
Supervisory Patent Examiner
Art Unit 3769
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